

BEFORE THE INDIAN CLAIMS COMMISSION

THE SAC AND FOX TRIBE OF MISSOURI)	
)	
Plaintiff,)	
)	Docket No. 195
v.)	
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER ALLOWING REIMBURSEMENT OF ATTORNEYS' EXPENSES

HAVING CONSIDERED the application for allowance of unreimbursed attorneys' expenses filed on December 20, 1968, for the law firm of Pritzker, Pritzker & Clinton, attorneys for the plaintiff, the Sac and Fox Tribe of Missouri, by Stanford Clinton, Esquire, a partner in the firm and attorney of record for the said plaintiff; the documentation of the claimed expenses, including that supplied for examination in June of 1971 by Louis L. Rochmes, Esquire, a Washington associate of Pritzker, Pritzker & Clinton in the prosecution of the claims of the Sac and Fox Tribe of Missouri; the defendant's response to the application filed on June 3, 1969; the contracts under which the attorneys prosecuted the claims of the Sac and Fox Tribe of Missouri; and the remainder of the record herein, the Commission finds as follows:

1. On March 10, 1965, a final judgment was entered in this docket in favor of the Sac and Fox Tribe of Missouri in the sum of \$192,000.00 (15 Ind. Cl. Comm. 120-122). Funds to pay the judgment were appropriated by the Act of April 30, 1965 (79 Stat. 81, 108).

2. The attorneys' application prays for an order allowing reimbursement of claimed expenses totaling \$907.72 out of the judgment funds.

3. The defendant's response transmitted copies of a memorandum dated April 18, 1969, from the Acting Deputy Commissioner of the Bureau of Indian Affairs reporting on an examination of the application and observed, among other things, that the Commissioner of Indian Affairs concludes:

"The examination revealed a lack of receipts for major items for which receipts could usually be readily obtained. A few amounts claimed, such as those identified as Exhibits numbered 8 and 9, were not itemized and had as evidence of payment only ledger entries.

"All of the items, except those not itemized, appear to be reasonable and to fall within those categories of expenses proper for reimbursement."

Nearly all of the expense amounts claimed in the application were disbursed to Louis L. Rochmes to cover costs of the suit in this docket paid through his Washington office. The additional documentation and itemization of the claimed expenses needed for our review was made available from the files of Mr. Rochmes during June of 1971.

4. A notice of the filing of the attorneys' application was sent to the Chairman of the Tribal Council of the Sac and Fox Tribe of Missouri during June 1969. In a response to the notice, dated July 8, 1969, the Chairman indicated, among other things, that the Tribal Council was agreed that the attorneys' claim for reimbursement of expenses should be approved if it was a claim that should have been submitted "under the Disposition Act in Dockets 138, 143, and 195" and if any judgment funds of the Sac and Fox Tribe of Missouri in those dockets were set aside for payment of expenses of this kind.

The Disposition Act (Public Law 90-80, approved August 31, 1967, 81 Stat. 193) provides for the disposition of the judgment funds remaining after payment of attorneys' fees and litigation expenses. We understand that funds were set aside out of the \$192,000.00 appropriated to satisfy the award in Docket No. 195 for reimbursement of the expenses incurred by the attorneys in the prosecution of the Sac and Fox claims in Docket No. 195.

5. The attorneys' contracts with the Sac and Fox Tribe of Missouri provide for reimbursement of reasonable expenses incurred by the attorneys in the prosecution of the Tribe's claims.

6. It appears that the following expense amounts in the application were not incurred in this docket:

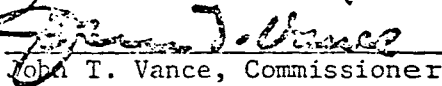
<u>Amount</u>	<u>Exhibit Number</u>	<u>Comment</u>
\$ 8.42	8	The itemized statement on which this expense was paid relates to costs in Docket Nos. 83 and 135.
\$24.33	9	The itemized statement on which this expense was paid relates to costs in Docket Nos. 83 and 135 and in dockets involved in an Iowa valuation project, presumably Docket Nos. 153, 158, 209 and 231.
<u>\$32.75</u>	Total	

7. After deducting the above-listed amounts, the expenses remaining in the application total \$874.97. The expenses included in this total are reasonable and properly reimbursable to the attorneys.

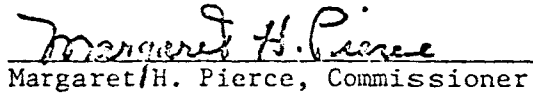
IT IS THEREFORE ORDERED that out of the funds appropriated to pay the final judgment entered in Docket No. 195 on March 10, 1965, in favor of the Sac and Fox Tribe of Missouri there shall be disbursed to the law firm of Pritzker, Pritzker & Clinton of Chicago, Illinois the sum of \$874.97 as payment in full of the said firm's claim herein for unreimbursed expenses.

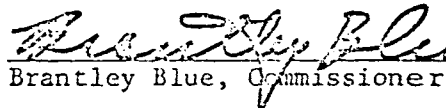
Dated at Washington, D. C., this 16th day of June 1971.


Jerome K. Kuykendall, Chairman


John T. Vance, Commissioner

Richard W. Yarborough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner